

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOHN THOMPSON JR.,

Petitioner,

v.

FNU LNU,

Respondent.

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Case No. CIV-17-812-W

ORDER

The Court is in receipt of a handwritten document that John Thompson Jr., an Oklahoma prisoner appearing pro se, has tendered purporting to challenge a judgment of conviction entered in the District Court of Muskogee County, Oklahoma. *See* Pet. (Doc. No. 1) at 1-6 (citing J. & Sent., *State v. Thompson*, No. CF-97-687 (Muskogee Cty. Dist. Ct. Dec. 4, 1998)). Petitioner's filing, which the Court liberally construes as a petition for writ of habeas corpus under 28 U.S.C. § 2254(a), is deficient in the areas indicated below:

- ☒ The petition is not on the Court's approved form. Petitioner's handwritten filing does not provide all of the information, or its equivalent, required by the Court's approved form.
- ☒ The petition is not signed and verified under penalty of perjury.
- ☒ Petitioner has neither paid the required \$5.00 filing fee nor filed an application to proceed *in forma pauperis* in this habeas action.

See LCvR 3.5, 9.2; 28 U.S.C. § 2242. Additionally, it is not clear from the face of Petitioner's filing whether Petitioner actually intended to file an action challenging the legality of his confinement and seeking release from state custody, or whether Petitioner

simply seeks a federal court's help in obtaining transcripts and other documents from the Muskogee County District Court. *See* Pet. at 1, 3, 6; 28 U.S.C. §§ 2242, 2254.

ACCORDINGLY, IT IS HEREBY ORDERED that Petitioner, if he intends to proceed with this habeas action, shall: (1) cure the petition's defects as indicated above; **and** (2) pay the \$5.00 filing fee applicable to habeas actions, or file an *in forma pauperis* application with the required financial information. Petitioner's failure to comply with this Order by **August 25, 2017**, may result in the dismissal of this action without prejudice. *See* LCvR 3.2, 3.3(e).

The Clerk of the Court is directed to send this Order, along with a copy of the Court's standard Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254 and Application for Leave to Proceed *In Forma Pauperis*, to Petitioner at his address of record.

IT IS SO ORDERED this 4th day of August, 2017



CHARLES B. GOODWIN
UNITED STATES MAGISTRATE JUDGE